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ABSTRACT

The ABC (Appalachian BOCES Consortium) consists of 10 BOCES (Boards of Cooperative Educational Services) which serve the 14 southern counties of New York State designated as Appalachia. Each year since 1974, the ABC has participated in regional video duplication projects, which have yielded a total of nearly 4,000 video titles. The complexity of these projects, which include contractual obligations by both distributors and ABC members, requires adherence to a standard set of procedures. Offered for use by other consortia, this manual provides a set of guidelines designed to lead a project chairperson through all of the steps that need to be followed to achieve successful completion of a videotape duplication project. The 11 steps in the process, which are not necessarily listed in sequence since several could be ongoing concurrently, are: (1) Identify Project, (2) Negotiations, (3) Selection of Titles, (4) Contract, (5) Logistics, (6) Final Approval, (7) Disposition of 16mm Prints/Video Masters, (8) ABC Project Form, (9) Annotations, (10) Certification of Erasure, and (11) Summary. Several forms used by ABC including video duplication rights, request for proposal, member survey, video licensing agreement, and certificate of erasure are appended. (MES)

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A MANUAL FOR IMPLEMENTATION OF ABC VIDEO DUPLICATION PROJECTS

January 12, 1987

IR 012 598

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

Rodger A. Oesterle

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INTRODUCTION

Each year since 1974, the Appalachian BOCES Consortium has participated in regional video duplication projects which have yielded nearly 4,000 video titles during that time.

The complexity of these projects, which include contractual obligations by both distributors and ABC members, requires adherence to a standard set of procedures in order to carry out these projects effectively.

This manual offers a set of guidelines designed to lead a project chairperson through all of the steps that need to be followed to achieve successful completion of a project. The steps are not necessarily listed in sequence, as several activities could be ongoing concurrently.

I IDENTIFY PROJECT

A. First Contact

The first contact can be initiated either by an ABC Director or by a representative of a film distributor. This first contact should yield no promise to the film rep. The proposal should be brought before the ABC.

B. Review by ABC

The director who has received a proposal should review it at an ABC meeting, providing as much detail as possible.

C. Approval to Proceed

After review, the ABC will vote on whether to proceed with negotiations with the company. A unanimous vote is desirable.

D. Assign Chairperson

After determination to proceed with negotiations is made, a chairperson is assigned by the chairman of the ABC. This chairperson does not necessarily need to be the individual who made first contact.

II NEGOTIATIONS

A. Request for Proposal

1. The chairperson should send a standard ABC Request for Proposal form to the film representative.
2. This form will provide a checklist of items which will spell out the terms and conditions of the proposal.
3. See Appendix A for sample Request for Proposal.

B. Proposal Review

At the next ABC meeting, the project should be reviewed, and the following information should be provided:

1. List of titles suggested for purchase. Titles proposed should be based on:

a. Relevance to the curriculum
b. Filling gaps in the collection
c. Meeting seasonal needs

2. Total amount of new product to be purchased
3. Video duplication policy
   a. Unlimited
   b. Limited - how many copies?
4. Cost of video duplication rights
5. Titles to be retained if project was done with company previously.
6. If titles acquired previously have been transferred to another distributor, which titles, and which distributor?
7. Cost of video duplication rights to titles acquired previously.
8. Length of contract
   a. In perpetuity
   b. 5 years, 7 years
   c. List start date and ending date
9. Identify BOCES participating
10. Resolve issue of BOCES not in ABC when previous project was done. How can they gain access to previously acquired material?
11. By what date do purchases need to be paid?
12. Time period for payment/number of payments
13. Availability of promotional materials
14. Date for delivery of product
15. Purchase in film or video. If video, specify format.
16. Type of prints or masters to be provided for duplication.

C. Approval to Proceed

1. After review of project details, the ABC will vote on the project. A unanimous vote is desirable, but 7-9 participants are necessary in order for a project to be authorized as an ABC project.
2. A Letter of Intent should be forwarded to the project chairperson indicating a commitment to participate in this project. The chairperson will forward these Letters of Intent to the project LEA, if different from the BOCES coordinating the project.
3. See Appendix B for sample Letter of Intent.

III SELECTION OF TITLES

A. Old Titles

1. If there are titles to be considered from a previous project, the project chairperson should distribute a list of those titles to each BOCES, and ask for circulation information, or a yes/no note on retention of these titles

2. A circulation survey could be taken and the project chairperson could select only titles that met a minimum standard (such as an average of 4 users per year per BOCES).
3. If a yes/no survey is taken among members, a minimum number should be established to determine retention. A majority could prevail.

B. New Titles

1. Members should forward their list of new titles wanted to the project chairperson. Recent releases could be requested for preview and evaluated by members as part of this new title selection process.
2. The amount of each member's purchase commitment will be based upon the total value of new product purchase expected by the distributor.
3. Members should submit alternate titles, so that the chairperson could select second choices in the event of duplicate requests.
4. New Title Selection Criteria
   Selection of new titles should be based on the following:
   a. Curriculum need
   b. Seasonal need
   c. Video backup to films owned
   d. Specialized need

C. Current Titles Held

1. In the event a project includes duplication rights for the first time to currently owned film titles, a list of these titles should be prepared.
2. Project chairperson will distribute copies of catalog indexes and ask each member to identify currently owned titles, and recommend titles for project.
3. A matrix will then be developed to show who owns what, and reviewed at the next ABC meeting, to determine titles desired on video.
4. All charts and matrixes should utilize Alpha codes to designate each BOCES.
5. See Appendix C for sample chart for collection of data.

IV CONTRACT

A. The standard ABC Video License Agreement should be used.

B. Chairperson should review BOCES identified on the contract to be sure list is current.

C. All terms and conditions on contract form should be completed.

D. Attachments should be added to the Video License Agreement which cover:

1. Amount of new product to be purchased
2. Total amount of royalty. This amount should reflect separate subtotals for video duplication rights for new titles purchased, and duplication rights for titles retained, if applicable.
3. List of titles to be purchased
4. Format to be purchased
5. A list of previously purchased titles for which we want to acquire video duplication rights.
6. A list of previously purchased titles for which we want to retain video duplication rights.
7. Billing procedures

E. See Appendix D for sample Video Duplication License Agreement.

V LOGISTICS

A. With Film Distributor

1. Where to ship prints/video masters
2. Batching instructions if distributor sends video masters.
3. Delivery date of prints/video masters to BOCES responsible for duplication.

B. With LEA

1. Letter of Intent to participate from each ABC Director.
2. Letter from District Superintendent requesting service from LEA, if required (otherwise, use purchase order).
3. Cross contract will be issued by the LEA to each participating BOCES when above is done. This cross contract should include all projects for the current year.

C. Chairperson sends list of titles and length of each title to BOCES responsible for duplication.

VI FINAL APPROVAL

After the mastering and dubbing costs are determined, members will review total project cost and give

final approval to the contract to be prepared by the LEA.

VII DISPOSITION OF 16MM PRINTS/VIDEO MASTERS

A. 16mm Prints

A lottery will be held to determine distribution of new 16mm prints. Options:

1. Random drawing
2. Members select titles wanted through predetermined order of selection.
3. Regardless of method used, members can trade prints afterwards to obtain preferred titles.

B. Video Masters

If video masters are used for duplication, the video masters will reside in the BOCES where the duplication is done. These masters will be used to duplicate copies needed to replace members' damaged masters.

VIII ABC PROJECT FORM

When negotiations are concluded and all logistical problems are resolved, an ABC Project Form will be completed by the chairperson and forwarded to the LEA BOCES Director. See Appendix E for sample ABC Project Form.

IX ANNOTATIONS

A. The project chairperson is responsible for distribution of annotations to members.

B. Annotations may be cut-and-paste copies from catalogs or originally written annotations.

C. Layout of originally prepared annotations should be no more than 5" in length, so that members can cut and paste on shelf list cards.

D. Annotations should be distributed to members no later than the date of distribution of video masters.

X CERTIFICATION OF ERASURE

A. If titles acquired from a distributor through a previous video license agreement are to be dropped, a list of these titles should be sent by the chairperson to each member, along with a certificate of erasure.

B. Certificates of Erasure should be signed and dated by each member and returned to the project chairperson who will forward these statements to the film distributor.

C. See Appendix F for sample Certificate of Erasure

XI SUMMARY

Although other options have been tried in the past, the above procedures lead to the most effective implementation of video projects.

JRH:mg
1/12/87

APPALACHIAN BOCES CONSORTIUM
VIDEO DUPLICATION RIGHTS

REQUEST FOR PROPOSAL

NAME_____
Distributor

ADDRESS_____

CITY_____ STATE_____ ZIP_____

PHONE ( )_____ EXTENSION_____

PREPARER_____

ADDRESS (if different)_____

CITY_____ STATE_____ ZIP_____

PHONE ( )_____ EXTENSION_____

DATE SUBMITTED_____

EFFECTIVE UNTIL_____

(Please complete each section filling in all blank spaces. Also intitial in the left margin to indicate agreement of that section.)

For the purposes of this proposal, the _____
(Distributor)
shall be referred to as the **LICENSOR** and the Appalachian BOCES Consortium (ABC) shall be referred to as the **LICENSEE.**

_____ The **Licensor** can and will grant a non-exclusive license for the transfer of film to video tape.

_____ The **Licensor** will agree to license to the **Licensee** unlimited duplication rights to all titles proposed for a period of _____years (or in perpetunity) commencing six (6) months signing of the contract.

_____ The **Licensor** will provide the **Licensee** with a high quality film master of a level for producing video masters.

_____ The film masters will be provided three (3) months prior to the commencement of the rights agreement.

_____ The **Licensor** will provide all data necessary for cataloging the product to include title, annotation, suggested subject areas, suggested age levels, length, and restrictions, if any.

_____ The **Licensor** will provide the opportunity for the Licensee to negotiate an extension of this License at its conclusion, for an additional ____ year period. If the License is not renewed, all existing video programs will be erased.

_____ The **Licensor** by submitting a title in this proposal agrees the **Licensor** does have the authority to License.

In exchange for the License, the **Licensee** agrees that the films are for educational use within the component schools in the Appalachian BOCES Consortium geographic region. The films/video tapes will be shown only to non-paying audiences. No copies of films, in the video format, will be resold to any person, school district, or other agency.

This License grants the right to use these programs over closed circuit television systems installed in individual school buildings. This License does <u>not</u> provide for open circuit transmission or for transmission over commercial cable system. (ed. note - what about interactive television?)

The Licensee agrees not to edit, alter, or change the content of the film. The films, which are copied under this License, will be reproduced in their entirety, including screen credits and distributors logo.

In this section, please incorporate the conditions of the License to include any additional cost for duplication rights, status of bonus, maximum and minimum purchase requirements.

_____

_____

_____

_____

_____

_____

SIGNED_____

DATE_____

Attachment: Proposed Titles
2-18-86

LETTER OF INTENT

The _____ BOCES

_____ will

_____ will not

participate in the _____ Project

during the _____ school year.

Signature _____

Date _____

1/12/87

CIRCULATION SURVEY

Title	Circulation											
	BT	CA	CO	DC	EC	OL	ON	SC	SA	TS	Yes	No

APPALACHIAN BOCES CONSORTIUM
VIDEO LICENSE AGREEMENT

This agreement made this _____day of _____ by and between _____ (herein referred to as the "licensor") and the Appalachian BOCES Consortium (ABC) (hereinafter referred to as the "Licensee").

1. Licensor agrees to sell the Appalachian BOCES Consortium (ABC) unlimited video duplication rights, on videotapes, for all titles agreed to under this license and where indicated to grant a non-exclusive license to transfer films to videotape.

2. The videotapes may be distributed among the members of the Appalachian BOCES Consortium that participate in this project. They are:

NAME	BOCES	CITY
Ed Gomes	Cayuga-Onondaga BOCES	Auburn
Lyn Griffiths	Cattaraugus-Allegany BOCES	Olean
Betty Lou Nixon	Steuben-Allegany BOCES	Bath
Ed Moy	Tompkins-Tioga BOCES	Ithaca
Tony Mollica	Onondaga-Cortland BOCES	Syracuse
Rodger Oesterle	Otsego-N. Catskill BOCES	Stamford
Robert Taylor	Delaware-Chenango BOCES	Norwich
Joe Hill	Schuyler-Chemung BOCES	Elmira
Ken Wasmund	Chautauqua County BOCES	Fredonia
Rodney Van Housen	Broome-Tioga BOCES	Binghamton

3. Copies of the videoprograms may be circulated to teachers in component schools, in each geographic region, that subscribes to the appropriate BOCES service.

4. The period of the license shall be for (_____years) (or in perpetuity) commencing _____.

5. The cost to the Appalachian BOCES Consortium for the unlimited video duplication rights will be _____.

6. Licensor shall deliver films after receipt of purchase order within a _____(specify time).

7. Films for transfer to videotape will be television grade quality and new.

8. Appended to this agreement is a list of the programs covered by this agreement.

9. Licensee agrees that the programs are for educational use within the component schools in the Appalachian BOCES Consortium membership.

10. This agreement grants rights for the use of the titles over closed circuit television systems installed in individual school buildings.

11. The licensee agrees not to edit, alter or change the content of the films. The films which are cleared for duplication under this agreement will be reproduced in their entirety.

12. At the end of the agreement, the Appalachian BOCES Consortium may negotiate this agreement to extend the video rights for another _____ year period. If the license agreement is not renewed the video tapes will be erased.

If these terms are acceptable, please sign and return one copy of this agreement.

_____	_____
Accepted and agreed to by:	Accepted and agreed to by:
_____	_____
Title	Title
_____	_____
Company	Company
_____	_____
Date	Date

1/12/87

ABC PROJECT FORM

Film Company _____

DATE: _____

Project Coordinator _____

Names of BOCES Participating _____

_____

_____

_____

Date Video Rights begin _____

Date Video Rights expire _____

Exact Video Rights Total Cost _____

Name, telephone number, address of film company - contact person

_____

_____

1. Is signed copy of contract authorizing video duplication enclosed?
   _____ YES _____ NO If no, why? _____

_____

_____

2. Is this project affected by new film purchase? _____ YES _____ NO
   If yes, please list BOCES and titles they are responsible to purchase.

BOCES	TITLES
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

3. How will films be delivered to us for mastering? _____

_____

_____

Your total estimated cost of mastering, duplication, etc. _____

_____

Additional Comments: _____

_____

_____

_____

For questions 1,2,3, please use additional sheets if necessary.

Signature _____

1/12/87

CERTIFICATE OF ERASURE

The _____ (BOCES) certifies that, at the expiration of the video duplication agreement between _____ (Company) and the **Appalachian BOCES Consortium**, all copies of the video programs listed below or attached have been removed from distribution and erased.

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

Signed _____

Date _____

THE APPALACHIAN BOCES CONSORTIUM

The Appalachian BOCES Consortium (ABC) was founded in March 1974, in cooperation with the New York State Education Department's Bureau of Educational Communications. The ABC originally consisted of ten BOCES (Boards of Cooperative Educational Services) which served the 14 southern counties in New York State designated as Appalachia.

The BOCES in Appalachia had similar characteristics and common needs which fostered the development of the ABC. The region was eligible for Appalachian Regional Commission (ARC) grants aimed at improving the quality of life, education and communications systems.

Due to the mountainous terrain that interfered with the transmission of television signals, the educational television stations serving the area were able to reach only a small segment of the rural population with VHF signals. Television translator systems were built throughout the southern tier of New York through funding from the Appalachian Regional Commission and the State Education Department.

These translator systems received a signal from a public television station and rebroadcast those programs via a system of towers, reaching school districts and communities that had otherwise been without instructional television services.

School buildings were wired and television equipment was purchased to enable classrooms to view or record ITV programs for delayed playback.

The availability of this television equipment motivated the ABC to cooperatively purchase 16mm films and obtain video duplication rights.

Although Appalachian Regional Commission funding was withdrawn several years ago, the ABC has continued to acquire duplication rights to films and video programs using local funds. These consortium projects have enabled member BOCES to acquire over 4,000 titles on videocassette, providing each member with one of the largest videotape libraries in the country.

The television translator systems are still in operation, although the maintenance of most of these systems has been assumed by the public television stations that serve the systems.

The ABC BOCES offer a variety of media and instructional support services including:

- Film Libraries
- Video Libraries
- Multi-Media Kits
- Career Education
- Computer Software Support
- Curriculum Development

ED 134 578

Technical Repair	Staff Development
Graphics	Microfilming
Printing	Television production

These services are provided over a 20 county-wide area for

242,000	students
17,321	teachers
531	school buildings
161	school districts

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